APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,466	08/23/2006	Timo Ali-Vehmas	894A.0021.U1(US)	9717

29683　　　　7590　　　　10/18/2010
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EXAMINER
NGUYEN, PHUNG HOANG JOSEPH

ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
10/18/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/590,466	ALI-VEHMAS, TIMO
Office Action Summary	Examiner	Art Unit	
	PHUNG-HOANG J. NGUYEN	2614	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 August 2010</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-5 and 7-34</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-5, 7-34</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Applicant's amendment filed 8/6/10 has been carefully considered and has been

entered. Current standing of the claims as follows:

        Claims pending: 1-5, 7-34 with claims 1, 15, 27, 30, 32 and 33 being

independent.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious
> at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the invention
> was made.

Claims 1-4, 7-10, 13-16, 18-22, 24, 27 and 29-34 are rejected under 35

U.S.C. 103(a) as obvious over Kleier (US Pub 2002/0009990) in view of Prasad et al

(US Pat 6, 237,026) and Chang et al (US Pub 2004/0131167).

        Claims 1, 15, 27, 30, 32 and 33, Kleier teaches a method a memory, a mobile

terminal, a storage medium, and apparatus comprising,

        -drawing up a summons to a meeting in a mobile terminal of a convener of a

conference call between three or more participants that form a group of participants

using respective mobile terminals operating in a wireless network, to arrange a

conference call **(Abstract)**

      - sending, by the mobile terminal of the convener, the summons to the meeting from the mobile terminal of the convener to all members of the group of participants **((fig. 9 shows the invitation is sent to each user in D2 WAP Group call);**

      - receiving, at the mobile terminal of the convener, from two or more of the participants, the respective participants having made the call to the telephone number mentioned in the summons; and automatically joining the participants to the conference call in the mobile terminal of the convener *(If subscribers 3-6 of the list accept the invitation (or without invitation and automatically), they are connected to the telephone conference circuit by the mobile radio network 2, pars. 0032-35).*

      While Kleier does not specifically discuss the summons to the meeting is drawn up in such a way that the information regarding the conference call is found at the same points in the summons, and the summons to the meeting includes the telephone number of said convener, examiner notes that the claimed feature is commonly and obviously practiced in the art. Information regarding the conference, such as agenda, date, time, duration, required participants and many more are obviously part of the conference set-up and preparation.

      Examiner respectfully provides several additional arts teaching the claim feature.

      (i)   Prasad teaches the claim feature as Prasad discusses "database 14 is a relational database that stores information detailing conferences that will include computer 11. An example of a table entry 70 for database 14 is shown in FIG. 4. In this example, table entry 70 includes a title/conference code field 71 which stores a text file or alphanumeric code indicating a title for the conference (e.g., "Project Status

Conference"). Field 72 indicates a commencement time for the conference (e.g., a date and time). Field 73 indicates a conclusion time for the conference. Field 74 includes a description (e.g., in a text format) of the conference which can be conveyed to conference attendees. For example, field 74 may include the name of the convener or chairperson for the conference, an agenda for the conference, etc. Field 75 includes a list of conference attendees. In this example, the conference attendee identification (e.g., a phone number, a network address, etc.) and a password is included for each conference attendee. If desired, backup information can be provided for one or more conference attendees, such as an alternate telephone number or network address for the attendee, col. 5, lines 26-46. Examiner reads that the convener is one of the conference participants.

Therefore, it would have been obvious to the ordinary artisan to incorporate the teaching of Prasad into the teaching of Kleier to clearly define the well-known practice in the art wherein conference information (such as, agenda, date, time, duration, required participants and certainly the contact information, i.e., telephone number, of all the participants…) is found in the invitation or notification or conference set-up message or arrangement. The combination of the prior arts would not require any hardware modification, but only a minor coding that would cost very little (if not nothing at all). Furthermore the combination would greatly enhance the conference invitation setup for the convenience of the subscribers and at the same time a highly visible tool for service provider's marketing tool.

(ii)   Chang also teaches the claimed feature as Chang discusses a conference record 400 is created by a provisioning module 200 when a conference subscriber inputs conference provisioning information. Conference provisioning information may include such parameters as a conference name, a conference start date and time, the number of conference participants, and contact information (such as a telephone number) for each conference participant, [0062]. Examiner reads that the conference participants/attendees would include the conference initiator/convener

Therefore, it would have been obvious to the ordinary artisan to incorporate the teaching of Chang into the teaching of Kleier to clearly define the well-known practice in the art wherein conference information (such as, agenda, date, time, duration, required participants and certainly the contact information, i.e., telephone number, of all the participants…) is found in the invitation or notification or conference set-up message or arrangement. The combination of the prior arts would not require any hardware modification, but only a minor coding that would cost very little (if not nothing at all). Furthermore the combination would greatly enhance the conference invitation setup for the convenience of the subscribers and at the same time a highly visible tool for service provider's marketing tool.

As to claim 2, Kleier teaches the summons to the meeting is drawn up before the group of participants is formed. *(Before or during the setting-up of the connection, an enquiry is preferably placed with participants whether the invitation to the conference connection is accepted, par. 0007. This indicates that the invitation is formed and the group is also regardless the order of being formed).*

As to claims 3, 16 and 31, Kleier teaches the group of participants is formed by selecting the participants from a list saved in a memory of a mobile terminal and/or by manually inputting the contact information of the participants *(i.e., the participants 3, 4, 5, 6 of the group of mobile radio subscribers which are stored in the list for which list participant 1 has requested a telephone conference, par. 0032; Or the list can be stored in the mobile radio network, in the mobile terminal or in a SIM card, par. 0028).*

the contact information comprising at least one of telephone numbers, e-mail addresses *(par. 0034),* and Session Initiation Protocol addresses.

As to claim 4, Kleier teaches a method that the group of participants is given a name and the formed group is saved in a memory of the mobile terminal of the convener for later use *(In the menu in FIG. 1, for example, a telephone conference can be initiated to the members of group 1 (friends) by pressing key 1 on the mobile terminal on which this menu is displayed (or acoustically). This correspondingly applies to numbers 2 and 3 of the menu designated as "beer" or "basketball". The name for a menu can be selected arbitrarily by the user of the mobile terminal, par. 0025).*

As to claims 7 and 19, Kleier teaches a method that the summons to the meeting is formed as a character string composed of ASCII characters *(see figs. 7 and 9, the characters used are the ASCII).*

As to claims 8 and 20, Kleier teaches that the summons to the meeting is sent to all members of the group of participants as a text message *(i.e., transmits a message (for example SMS PtP short message or WAP Deck/WAP Card) to the participants in the list for this group, par. 0006).*

As to claims 9 and 21, Kleier teaches that the summons to the meeting is sent to all members of the group of participants as an e-mail message *(the invited participants can be checked via various telecommunication identities, especially telephone numbers, e-mail addresses etc., par. 0034).*

As to claims 13-14, Kleier teaches the convener of the conference call is given a notification by the mobile terminal of the convener when a new participant has been joined to the conference call. Furthermore, the notification is given with an acoustic signal or a recorded voice message *(par. 0030).*

As to claim 18, Kleier teaches the memory wherein the actions further comprise starting the application from a menu of the mobile terminal *(In the menu in FIG. 1, for example, a telephone conference can be initiated to the members of group 1 (friends) by pressing key 1 on the mobile terminal on which this menu is displayed (or acoustically). This correspondingly applies to numbers 2 and 3 of the menu designated as "beer" or "basketball". The name for a menu can be selected arbitrarily by the user of the mobile terminal. If item 4 in FIG. 1 is selected (for example by pressing key 4 on the mobile terminal), the menu according to FIG. 2 is displayed, par. 0025).*

Claim 24, see claim 1 on the discussion of automatic connection.

As to claim 29, Kleier teaches a mobile terminal configured to start the application from a menu of the mobile terminal *(fig. 1 and pars. 0024-0026).*

Claims 10, 12 and 34 are rejected under 35 U.S.C. 103(a) as obvious over Kleier in views of Prasad et al and Chang et al further in view of Scheuring et al (US Pub 2002/0131565).

As to claims 10 and 22, Kleier does not specifically that in connection with drawing up the summons to the meeting, a connection is opened to a calendar application in the mobile terminal of the convener and a reservation of time is made in the calendar application.

Scheuring teaches a calendar system to help users schedule their meeting, conference, sending out and responding to event invitation (Abstract and fig. 1)

Therefore, it would have been obvious to one of ordinary skill in the at the time the invention was made to incorporate the teachings of Scheuring into the teachings of Kleier for the purpose of setting a calendar as a guide of date and time for the call so that the convener can quickly form the summons.

Claim 34, While Kleier does not specifically discuss the summons to the meeting includes an agenda of the conference call"

(ii) Scheuring teaches the claimed feature as he discusses the setting-up of a conference call where an invitation including an agenda is sent (an agenda is created (640) for the meeting/call. Call elements, such as files, are then attached (650) to an invitation. Assignments are then made (660) for the invitees/participants and a task list to prepare for the meeting is created (670). The method 505 then ends, [0081, 0082] and fig. 6).

It would have been obvious to the ordinary artisan to incorporate the teaching of Scheuring into the teaching of Kleier to clearly define that invitation including agenda is well-known practice in the art. Certainly there is no need of modification to the system, rather just adding a few lines of codes in software development would greatly enhance

the conference invitation setup for the convenience of the subscribers and at the same time a highly visible tool for service provider's marketing tool.

Claims 5, 11, 12, 17, 25 and 28 are rejected under 35 U.S.C. 103(a) as obvious over Kleier in views of Prasad et al and Chang et al further in view of Wu (previously disclosed).

Claim 5, Kleier does not specifically discuss a time of the conference call and other information concerning the conference call is given in the summons to the meeting.

Wu teaches the time of the conference (see fig. 4A, block 412 for primary start time: 1:30).

Claims 11, 12 and 25, in combination and by obviousness, Kleier and Scheuring teach the summons to the meeting is saved in a memory of the mobile terminal for later use; a duration of the conference call and a name of the group of participants are saved in a memory of the mobile terminal; and saving a duration of the conference call and a name of the conference call in the memory of the mobile terminal (Kleier: conference set-up, information, suitably stored/saved in the mobile terminal or mobile radio subscriber identity card, [0008, 0024, 0026, 0032]; Scheuring: The calendaring engine 115 includes a calendar database 117 for storing events and a calendars file 119 for storing calendar preferences and customizations (e.g., graphics, default view, custom names for the calendars, etc.), [0057, 0059]).

Both do not discuss the duration of a conference call and though teaching of the duration of a conference call is obvious for participant's planning, Wu teaches the

duration of a conference call (see fig. 4A, block 412 indicating the length of the call is 1 hours).

Furthermore, Wu also teaches the invitation with associated information is saved for future use (*(fig. 8 shows step 810 forwarding the invitation, then the invitation being saved. Upon completion of processing, a determination is made at 810 as to whether the coordinator wishes to forward the invitations to the selected participants. If the coordinator decides in the affirmative then the invitations are forwarded at 812. At 814 a determination is made as to whether the generated telephone conference profile information should be saved. At 816 telephone conference profile information to be saved is provided with an identifier and the process is concluded, col. 10, lines 19-26).*

Therefore, it would have been obvious to one of ordinary skill in the at the time the invention was made to incorporate the teachings of Wu into the teachings of Kleier for the purpose of utilizing the memory feature in a mobile device where it can save literally any activities once used for the future use.

As to claims 17 and 28, Kleier, in view of Scheuring, teaches the actions further comprise starting the application (*the menu in FIG. 1, for example, a telephone conference can be initiated to the members of group 1 (friends) by pressing key 1 on the mobile terminal on which this menu is displayed (or acoustically). This correspondingly applies to numbers 2 and 3 of the menu designated as "beer" or "basketball". The name for a menu can be selected arbitrarily by the user of the mobile terminal, par. 0025).*

Kleier does not specifically teach "a starting icon produced on a display of a

mobile terminal". Wu teaches the icons on the display *(see figs. 4A-C)* for the purpose

of promptly providing a visually interactive choice for the participants.

Therefore, it would have been obvious to one of ordinary skill in the at the time

the invention was made to incorporate the teachings of Wu into the teachings of Kleier,

in view of Scheuring, for the purpose of maximizing the use of every feature available

for the mobile user.

Claims 23 and 26 are rejected under 35 U.S.C. 103(a) as being obvious over

Kleier (US Pub 2002/0009990).

As to claim 23 and 26, Kleier does not specifically teach separating the received

summons to the meeting from other messages that have arrived; and giving a

notification to a convener of the conference call when a new participant has been joined

to the conference call.

It is, however, obvious to the ordinarily skilled artisans to believe that all

messages coming in will be delivered to different folders or having different icons or

having different forms of notification based on the header information.   It is to let the

receivers, whether in a conference call or not, know the differences and to response

appropriately.   Furthermore, conference call is created in a controlled environment

where only certain members of a specific group (i.e., friends, beer, basketball, see fig.

1) are called to the conference. Most will come on time. Few will come late.   It is so

obvious that when new participant joins, in a very usual situation, a notification (i.e.,

acoustic sound) would indicate to the convener (if not all) that some one new is just join the call.

Therefore, it would have been obvious to one of ordinary skill in the at the time to believe in a most logical way to believe that Kleier's system and method would be very capable of separating the received summons to the meeting from other messages that have arrived; and of giving a notification to the convener of the conference call when a new participant has been joined to the conference call.

Response to Arguments

Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

Examiner is obligated to state that applicant has not adequately described the distinctiveness of the claimed subject matter requiring no intervention from the network to set up a conference. Nor has the applicant described in a way that the claimed feature leaves room for no other interpretation but the indented one.

Examiner will continue to read the claim the way it is presented that the conference is automatically setup and participants automatically join the call.

The rationale for examiner's position is based on some of the case laws presented by the examiner previously. For the claimed subject matter, not the specification, is the measure of invention. Disclosure contained in the specification can not be read into the claims for the purpose of avoiding the prior art (In re Sporck, 55 CCPA 743, 386 F.2d 924, 155 USPQ 687, 1986).

In other word, the features upon which applicant relies are not recited in the rejected

claim (s). Although the claims are interpreted in light of the specification, limitations from

the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26

USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this office action. Accordingly, **THIS ACTION IS MADE FINAL.** Applicant is reminded

of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to PHUNG-HOANG J. NGUYEN whose telephone number

is (571)270-1949. The examiner can normally be reached on Monday to Thursday,

8:30AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571 272 7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CURTIS KUNTZ/   /Phung-Hoang J Nguyen/
Supervisory Patent Examiner, Art Unit 2614   Examiner, Art Unit 2614